

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LAMAR NELSON DOUGLAS,)	
)	
Plaintiff,)	Civil Action No. 11-350
)	
v.)	District Judge Arthur J. Schwab
)	
IRMA VIHIDAL, Correctional Health)	
Care Administrator; <i>ET AL.</i> ,)	
Defendants.)	

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a notice of removal on March 16, 2011, and was referred to a united states magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court.

On May 1, 2012, the Magistrate Judge filed a Report and Recommendation (ECF No. 35) recommending that the Partial Motion to Dismiss filed by Defendants Cowan, Irma Vihidal, John Mcanany, Nedra Rice-Grego, and Peter Vidonish (ECF No. 21) be denied and that the Motion to Dismiss filed by Defendants Byunghak Jin and Mike Hice (ECF No. 17) be denied. The parties were served with the Report and Recommendation and were advised that they had until May 18, 2012 to file written objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 29th day of May, 2012:

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Cowan, Irma Vihidal, John Mcanany, Nedra Rice-Grego, and Peter Vidonish (ECF No. 21) is **DENIED**.

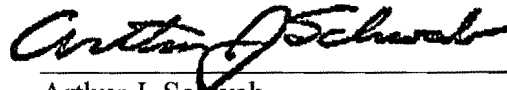
IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Byunghak

Jin and Mike Hice (ECF No. 17) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF. No. 35) dated May 1, 2012, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that this matter is remanded back to the Magistrate Judge for further pre-trial proceedings.

By the Court:

A handwritten signature in black ink, appearing to read 'Arthur J. Schwab', written over a horizontal line.

Arthur J. Schwab
United States District Judge

Lamar Nelson Douglas
CJ-1576
SCI Greene
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Waynesburg, PA 15370